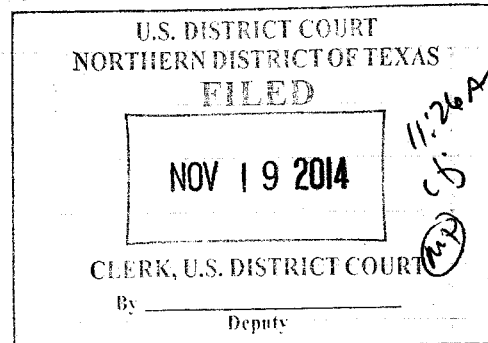


Christopher Robert Weast, Sui Juris
Citizen of Heaven on Earth and
National of Texas state
temporary post location
% 833 Hallvale Drive
Fort Worth, Texas state
USA
Non Domestic, Non Federal

11/7/14



In Propria Persona

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District Court of the United States
Judicial District of Texas state

UNITED STATES OF AMERICA [sic],) No. 4:14-CR-00023-A
)

Plaintiff [sic],

) NOTICE OF MOTION AND

) MOTION TO DISMISS

V.

) DUE TO ILLEGAL GRAND

) JURY PROCEEDINGS;

CHRISTOPHER ROBERT WEAST [sic],) 28 U.S.C. 1867;

) Rule 6(b)(2), Federal Rules

~~was~~ Defendant [sic].) of Criminal Procedure

COMES NOW CHRISTOPHER ROBERT WEAST, (Hereinafter
"Defendant"), by and through his counsel, Christopher
Robert, Sui Juris, Citizen of Heaven on Earth, National
of Texas state, expressly not a citizen of the
United States ("Federal citizen"), and representing

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the Defendant in the above entitled matter, to move this Court to dismiss the instant case with prejudice, due to improper seating and improper conduct of the federal grand jury which issued the indictment on which the instant case is premised, and to provide formal Notice to all interested party(s) of same.

This Court will please take formal judicial Notice of the fact that ~~Defendant is not~~ Relator is not a bar-licensed attorney, and has not had the advantage(s) of formal education in an accredited law school. For this reason, Relator must learn and digest the particulars of law and procedure independantly, as time permits.

Therefore, this Motion is timely because the proper workings of the federal grand jury system have only recently been deciphered. The seven-day time limit for filing motions related to improper grand jury procedure(s) does not apply in the instant case, particularly when due process Rights guaranteed by the Constitution for the united states of America are at issue. Even with the statutory time limit, this Motion is timely because it is being Filed as soon as possible after discovery of the rules according to which a Federal grand jury is required to proceed. Moreover, related statutory provisions have only recently been unraveled to clarify the grounds and the precise manner in which this Motion is required to be prepared and submitted to this Court.

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The key provision which demonstrates that Defendant should have been notified of an investigation and proceedings, premised upon allegations of complaint prior to the grand jury having been convened, is found at Rule 6(b)(1) of the Federal Rules of Criminal Procedure, to wit:

(1) Challenges. The attorney for the government or a defendant who has been held to answer in district court may challenge the array of jurors on the ground that the ~~jury~~ grand jury was not selected, drawn or summoned in accordance with law, and may challenge an individual juror on the ground that the juror is not legally qualified. Challenges shall be made before the administration of the oath to the jurors and shall be tried by the court. [emphasis added]

By failing properly to notify the Defendant of allegations of complaint and intent to present matters to a grand jury for consideration, the [United States] attorney effectively deprived Defendant of: (1) the Fourth Amendment Right to have access to affidavits of complaint; (2) the Sixth Amendment Right to interview witnesses against him; (3) the Sixth Amendment Right to have the assistance of Counsel during the proceedings; (4) the Right to challenge the jury selection process and/or the qualifications of individual jury candidates.

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In the grand jury forum, prospective defendants enjoy Rights articulated in Rule 5.1(a), Federal Rules of Criminal Procedure, pertaining to ~~pre~~ preliminary examinations, to wit:

The defendant may cross-examine adverse witnesses and may introduce evidence.

[Rule 5.1(a), Federal Rules of Criminal Procedure]

This Court will also please take Formal Notice that the Federal Rules of Evidence, which are otherwise restrictive, do not apply to preliminary hearings or to grand jury proceedings. See Rule 1101(d)(2) and (3), Federal Rules of Evidence. Accordingly, the applicable elements of the common law and constitutionally guaranteed Rights are both preserved in these two forums. According to the U.S. Supreme Court's decision in [Blair v. United States, 250 U.S. 273, 282 (1919)], the grand jury retains common law powers and authority vested by common law of English-American lineage prior to the ratification of the Constitution for the United States of America. The reason for the preservation of the grand jury's traditional authority, with the exclusion provision at Rule 1101(d)(2), is found at 28 U.S.C. § 2072, which conveys authority for the U.S. Supreme Court to promulgate rules for statutory courts of the United States, to wit:

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(b) Such rules shall not abridge, enlarge or modify any substantive right. All laws in conflict with such rules shall be of no further force or effect after such rules have taken effect.

Therefore, convening a grand jury in secret, without affording Defendant an opportunity to challenge the jury selection process or the qualifications of the individual jurors, and to exercise Fourth and Sixth Amendment Rights to have access to the substance of complaints, to interview adverse witnesses, and either stand in Defendant's own stead or be represented by counsel, defaults the alleged indictment into an action ultra vires ab initio (without authority from the beginning). The entire grand jury array must be defaulted, therefore, and the indictment dismissed, pursuant to 28 U.S.C. § 1867(d), to wit:

(d) Upon motion filed under subsection (a), (b), or (c) of this section, containing a sworn statement of facts which, if true, would constitute a substantial failure to comply with provisions of this title... If the court determines that there has been a substantial failure to comply with the provisions of this title in selecting the grand jury, the court shall stay the proceedings pending the selection of a grand jury in conformity with this title or dismiss the indictment, whichever is applicable.

[emphasis added]

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Where the instant case is concerned, the alleged indictment must be dismissed because the entire selection and seating process was conducted under the exclusive control of the United States attorney, without the Defendant having had the opportunity to participate in the selection and qualification process, as prescribed by Rule 6(b)(1) of the Federal Rules of Criminal Procedure.

This, of necessity, defaults all members of the grand jury responsible for the alleged indictment, because in a posteriori position does not afford the opportunity to correct an error which abridges the provisions of Rule 6(b)(1) of the Federal Rules of Criminal Procedure.

Defendant's Affidavit of Facts, as required by 28 U.S.C. 1867(d), follows the PROOF OF SERVICE attending to this Motion.

REMEDY REQUESTED

Premises considered, Defendant moves this Court to dismiss the indictment with prejudice, said dismissal being mandated by the operation of law.

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VERIFICATION

Defendant hereby verifies, under penalty of perjury, under the laws of the United States of America, without the "United States", that the above statement of facts is true and correct, and all matters of law addressed herein are accurate and true, to the best of Defendant's current information, knowledge, and belief, so help me God, pursuant to 28 U.S.C. § 1746(1).

Executed on 11/07/2014 /s/ Christopher Robert (Pro Hac Vice)

NOTICE OF MOTION AND MOTION TO DISMISS DUE TO ILLEGAL GRAND JURY PROCEEDINGS:

28 U.S.C. § 1867; Rule 6(b)(1), Federal Rules of Criminal Procedure

AFFIDAVIT OF FACT:

28 U.S.C. § 1746(1); 1867(d)

by placing said document(s) with exhibits in First class United States Mail, with postage prepaid and properly addressed to the following individuals:

11/7/14

Attorney General
Department of Justice
10th and Constitution, N.W.
Washington, D.C.

Solicitor General
Department of Justice
10th and Constitution, N.W.
Washington, D.C.

Office of United States Attorney
Aisha Saleem
% 801 Cherry Street
Fort Worth, (zip code exempt)
Texas state
USA
Non Domestic, Non Federal

Executed on 11/07/2014

/s/ Christopher Robert (Pro Hac Vice)
CHRISTOPHER ROBERT WEAST

Citizen of Heaven on Earth and

National of Texas state

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11/7/14

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National of Texas state
temporary post location
c/o 833 Hallvale Drive
Fort Worth, (zip code exempt)
Texas state
USA
Non Domestic, Non Federal

District Court of the United States
Judicial District of Texas state

11/7/14

UNITED STATES OF AMERICA [sic],) No. 4:14-CR-00023-A

Plaintiff [sic],)

) Affidavit of Facts:

v.)

) 28 U.S.C. 1746 (1), 1867(d)

CHRISTOPHER ROBERT WEAST [sic],)

Defendant [sic].)

COMES NOW CHRISTOPHER ROBERT WEAST, (Hereinafter "Defendant"), by and through his counsel, Christopher Robert, Sui Juris, Pro Hac Vice, Citizen of Heaven on Earth, National of Texas state, expressly not a citizen of the United States ("federal citizen"), and representing the Defendant in the above entitled matter, to submit this, Defendant's AFFIDAVIT OF FACTS.

VERIFICATION

Defendant hereby verifies, under penalty of perjury, under the laws of the United States of America, without the "United States", that the following statement of facts is true and correct, and all matters of law addressed herein are accurate and true, to the best of Defendant's current information, knowledge, and belief, so help me God, pursuant

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to 28 U.S.C. 1746(1).

I am a Citizen of Heaven on Earth and National of Texas state, which is one of the 50 United States party to the Constitution for the United States of America, as lawfully amended (Hereinafter "U.S. Constitution").

I temporarily live, but do not inhabit nor am I domiciled in Fort Worth, Texas state, on privately owned land which is not within any Federal enclave or Federal area, as ceded to the United States (Federal government) in compliance with 40 U.S.C. § 255. See also 18 U.S.C. § 7(3).

As such, I am endowed by My Creator with certain unalienable Rights, and I am entitled to all Rights secured by the U.S. Constitution, particularly with respect to due process of law provisions articulated in the Fourth, Fifth, Sixth, Seventh, Ninth and Tenth Amendments to said Constitution.

I attest that I was never served with actual notice of any grand jury investigation concerning allegations made in the alleged indictment(s) filed in the instant case.

I attest that I was never present, nor was I represented by counsel, when the grand jury was

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drawn and seated and, therefore, I did not have the opportunity to challenge the grand jury qualification or seating process before the fact, as prescribed by Rule 6(b)(1) of the Federal Rules of Criminal Procedure.

I attest that I was never provided with copies of any valid affidavits of complaints, as required by the Fourth Amendment, nor did I have an opportunity to confront witnesses against Me, as assured by the Sixth Amendment.

I attest that I was never provided the opportunity to present evidence to the grand jury once convened, nor to call witnesses on My behalf.

I attest that the first knowledge I had of any such proceedings was conveyed to Me by means of two FBI agents arresting Me on February 21, 2014 wherein I was taken to a FBI Building before ultimately being brought, forcibly and under duress, before a Magistrate where two attorneys, Angela Saad and Christopher A. Curtis claimed to be my attorneys and were forced upon Me.

Further Affiant Sayeth Naught.

11/7/14

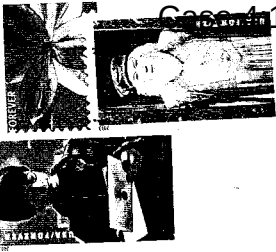
Executed on 11/07/2014

151 Christopher Roberts Pro Hac Vice
Christopher Robert - Pro Hac Vice for Defendant

Christopher Robert, Agent
CHRISTOPHER ROBERT WEAST

Citizen of Heaven on Earth and
National of Texas state

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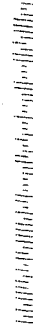


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CLERK OF

2014 NOV 19

CLERK OF



House of
Representative
- Member -

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Judge McBryde
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Texas State
Non Domestic, Non Federal

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C/o Federal Corrections Institution
P.O. Box 15330
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Texas State
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